

## ***CITY OF WILLMAR***

### **PLANNING COMMISSION MEETING**

**7:00 P.M. ON WEDNESDAY, NOVEMBER 6, 2019**

**CONFERENCE ROOM #1**

**CITY OFFICE BUILDING**

***Chair:*** Steve Gardner

***Vice Chair:*** Rolf Standfuss

***Members:*** Jeffery Kimpling, Cletus Frank, Jonathan Marchand, Terry Sieck, Dr. Jerry Kjergaard, Christina Nelson, and Rhonda Otteson.

### **AGENDA**

1. Meeting Called to Order
2. Minutes of October 16, 2019 meeting
3. 7:01p.m. Project Turnabout CUP
4. Project Turnabout Minor Subdivision
5. Zeimer Detachment
6. City Acquisition of Property
7. Adjourn

**WILLMAR PLANNING COMMISSION  
CITY OF WILLMAR, MN  
WEDNESDAY, OCTOBER 16, 2019**

**MINUTES**

1. The Willmar Planning Commission met on Wednesday, October 16, 2019, at 7:00 p.m. at the Willmar City Offices Conference Room #1.

*Members Present:* Steve Gardner, Terry Sieck, Jeff Kimpling, Cletus Frank, Jonathan Marchand, Rhonda Otteson, Rolf Standfuss, and Dr. Jerry Kjergaard

*Members Absent:* Christina Nelson

*Others Present:* Sarah Swedburg – Planner, Doug Fenster – Willmar, Joel Meyer - Litchfield

2. MINUTES: Minutes from the September 4<sup>th</sup> meeting were approved as presented.
3. PAPA MURPHY'S PLAN REVIEW – FILE NO. 19-04: Staff presented request by J&J Meyer Investments, LLC of Litchfield for a plan review to allow a restaurant with a drive-thru on property described as follows: That part of the East ½ of the East ½ of the Northeast ¼ described as follows: Commencing at a point 1,328 feet South and 215 feet West of the Northeast corner of said Section, then South 200 feet to point of beginning of tract herein described; Then East 140 feet to a point 75 feet West of East line of said Section 120 feet to point; Then West on line parallel with North line of said Section to point 215 feet West of East line of said section; Then North on line 215' West of East line of said Section 120 feet to point of beginning (1516 1<sup>st</sup> St S). The property is zoned GB, and at one point had a drive thru window for a coffee shop. The proposed restaurant is Papa Murphy's, which is a bit different in nature than a traditional restaurant as all customers take the food home to prepare.

Joel Meyer, franchise owner of the Willmar Papa Murphy's, explained their purchase agreement in place on the property and intent to continue to move forward. The current plan is to move locations in 2021. Although it is a bit of a ways out, they wanted to complete their due diligence before moving forward with purchasing the property. Staff reminded the Commission that approvals are valid for 1 year, and a letter of intent to continue with plans as presented must be submitted to the Commission to extend the approval.

Mr. Meyer also discussed the location of the window on the South side of the building, to allow for optimum stacking of cars in the drive thru. Commissioner Kimpling asked to discuss traffic flow on the site, as was discussed when the Starbucks/Aspen dental development was built as a free-standing building on the Kandi Mall site. The Commission determined that due to the context of this freestanding building on the Skylark Mall site, traffic flow was adequately addressed.

The Planning Commission reviewed and discussed staff comments (see Attachment A). Staff walked through the Ordinance requirements for a "joint parking facility," and because there is an existing legal instrument in place between the proposed property & skylark mall to share parking spaces, they meet all of the requirements to continue this joint use to satisfy parking needs.

Mr. Meyer anticipates an increase in online orders from 26% to 50% of sales (as opposed to walk-in orders) due to greater access available on this site compared to their current location. He stated that the majority of other Papa Murphy's locations are seeing a very similar trend.

The Planning Commission reviewed and made affirmative findings of fact as per Zoning Ordinance Section 9.E.3.a.1-7.

Mr. Frank made a motion, seconded by Dr. Kjergaard, to approve the plan review for a restaurant drive-thru with the following conditions:

- a) Shared parking covenants with the Skylark Mall shall remain during the full duration of the use as a drive-thru restaurant.
- b) If the approved project does not begin within 1 year, a letter for extension of Plan Review approval shall be submitted to Planning Commission.
- c) The use shall comply with all applicable local, state, and federal rules, laws, and regulations at all times.

The motion carried.

4. ZEIMER PETITION FOR DETACHMENT: Staff presented a petition for detachment that has recently been received from a property owner on the East side of the City. Doug Fenster discussed the purpose for the request being the desire for full land ownership rights and the restrictive nature of this site, due to the BSNF Rail Spur and Rail Line, as well as certain uses in proximity to the School District and utility access.

Mr. Frank inquired about future intentions with the property. Mr. Fenster was not aware of any intention of change to the current agricultural use.

The Planning Commission requested further input from City staff for their next meeting.

5. OVERLAY DISTRICT DISCUSSION: Staff presented an effort to begin researching potential language to create an Overlay District to further incentivize development within our federally-designated Opportunity Zone. An Overlay District is a tool that can be employed to create greater flexibility or restriction within our Zoning Ordinance, while still recognizing the existing Zones. Other Cities employ Overlay Districts to assist with environmental needs or to incentive restoration and maintenance of historic properties, for example. Staff is currently researching ideas to encourage investment and rehabilitation of current properties within the Opportunity Zone, which encompasses all of our downtown, as well as some 1<sup>st</sup> Street Corridor, Hwy 12 Corridor, and a small portion of surrounding residential neighborhoods.

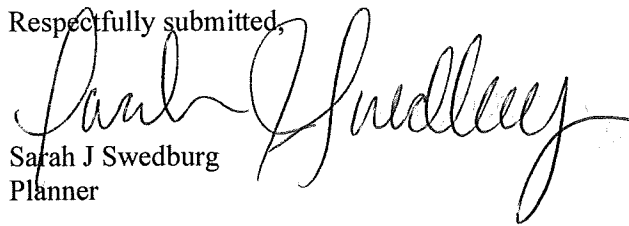
By further incentivizing the Opportunity Zone, Staff's intention is to show that the City is supportive of development in this area. The Planning Commission walked through a few examples of how this might encourage a current property owner to invest in their property (both residential & commercial uses) as well as encourage an outside developer to build an infill development in this historic area of Willmar. The current Opportunity Zone restrictions do not afford current property owners much ability to utilize the tax incentives, but an overlay district from the City may further open up the opportunity to incentivize their investments in this area.

The Planning Commission was supportive of Staff's continued research and effort to compile a recommendation for their review.

6. COMPREHENSIVE PLAN TABLE OF CONTENTS DISCUSSION: Staff presented a rough draft table of contents for the upcoming Comprehensive Plan revisions. We are only in the beginning steps of the revision process. Currently we are waiting for estimates from consultants regarding funding that is needed to complete this work, as it is an extensive, months-long process. Once cost estimates are received, staff will bring the request to City Council for funding to continue the process, and recommend a Comprehensive Plan Task Force be put together to help guide the revision process. The Task Force will be made up of Planning Commissioners, City Council Members, and community members. Staff will continue to bring updates and occasionally request input from the Planning Commission from time-to-time.

There being no further business to come before the Commission, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sarah J. Swedburg".

Sarah J Swedburg  
Planner

**PLANNING COMMISSION – OCTOBER 16, 2019**

***STAFF COMMENTS***

**1. PAPA MURPHY'S DRIVE-THRU PLAN REVIEW – FILE NO 19-04:**

- The applicant is J&J Meyer Investments, LLC of Litchfield, MN.
- The applicant is requesting a plan review to allow a drive-thru for a new Papa Murphy's location on property described as follows: That part of the East ½ of the East ½ of the Northeast ¼ described as follows: Commencing at a point 1,328 feet South and 215 feet West of the Northeast corner of said Section, then South 200 feet to point of beginning of tract herein described; Then East 140 feet to a point 75 feet West of East line of said Section 120 feet to point; Then West on line parallel with North line of said Section to point 215 feet West of East line of said section; Then North on line 215' West of East line of said Section 120 feet to point of beginning (1516 1<sup>st</sup> St S).
- The property is zoned GB (General Business).
- Lot width, area, and building setbacks are well exceeded. Parking surface is a part of the larger Skylark Mall property complex.
- The current building would be refurbished for the new use as Papa Murphy's.
- 7 parking spaces would be provided onsite. There is an outstanding covenant between this property & Skylark mall for joint parking facility. Adequate parking spaces are within 300 feet of the property, no substantial conflict of principal operation hours exist, and a properly drawn legal instrument currently exists.
- The site can be accessed off of 1<sup>st</sup> St S, as well as cross-property entrances from 16<sup>th</sup> Avenue SW & 19<sup>th</sup> Avenue SW.
- Building Façade?
- The official move is not anticipated until 2021.
- Signage approvals are ancillary from site plan review/approval.

**RECOMMENDATION:** Approve plan review with the following conditions:

- A. Shared parking covenants with the Skylark Mall shall remain during the full duration of the use as a drive-thru restaurant.
- B. If the approved project does not begin within 1 year, a letter for extension of Plan Review approval shall be submitted to Planning Commission.
- C. The use shall meet all applicable local, state, and federal rules and regulations at all times.

**NOTICE OF HEARING ON A REQUEST FOR  
A CONDITIONAL USE PERMIT**

Notice is hereby given that the City of Willmar Planning Commission will meet on Wednesday, November 6, 2019, at 7:01 p.m. at the City Office Building (Conference Room # 1 main floor), 333 6th St. SW, Willmar, Minnesota, to conduct a public hearing to hear reasons for and against a conditional use permit requested by Reverence for Life & Concern for People, Inc. (Project Turnabout) of Granite Falls, MN for a 16-bed licensed residential facility for women on property described as: Blocks 2, 3, and 4 of Victorian Estates Townhouses, Section 15, Township 119 North, Range 35 West (317 7<sup>th</sup> St NW).

All property owners or residents living in the vicinity of the above-described property are hereby notified of the public hearing and that they may appear in person or be represented by counsel to be heard on this matter. The Planning Commission meeting agenda and packet can be found on the City's website Calendar ([www.willmarmn.gov](http://www.willmarmn.gov)).

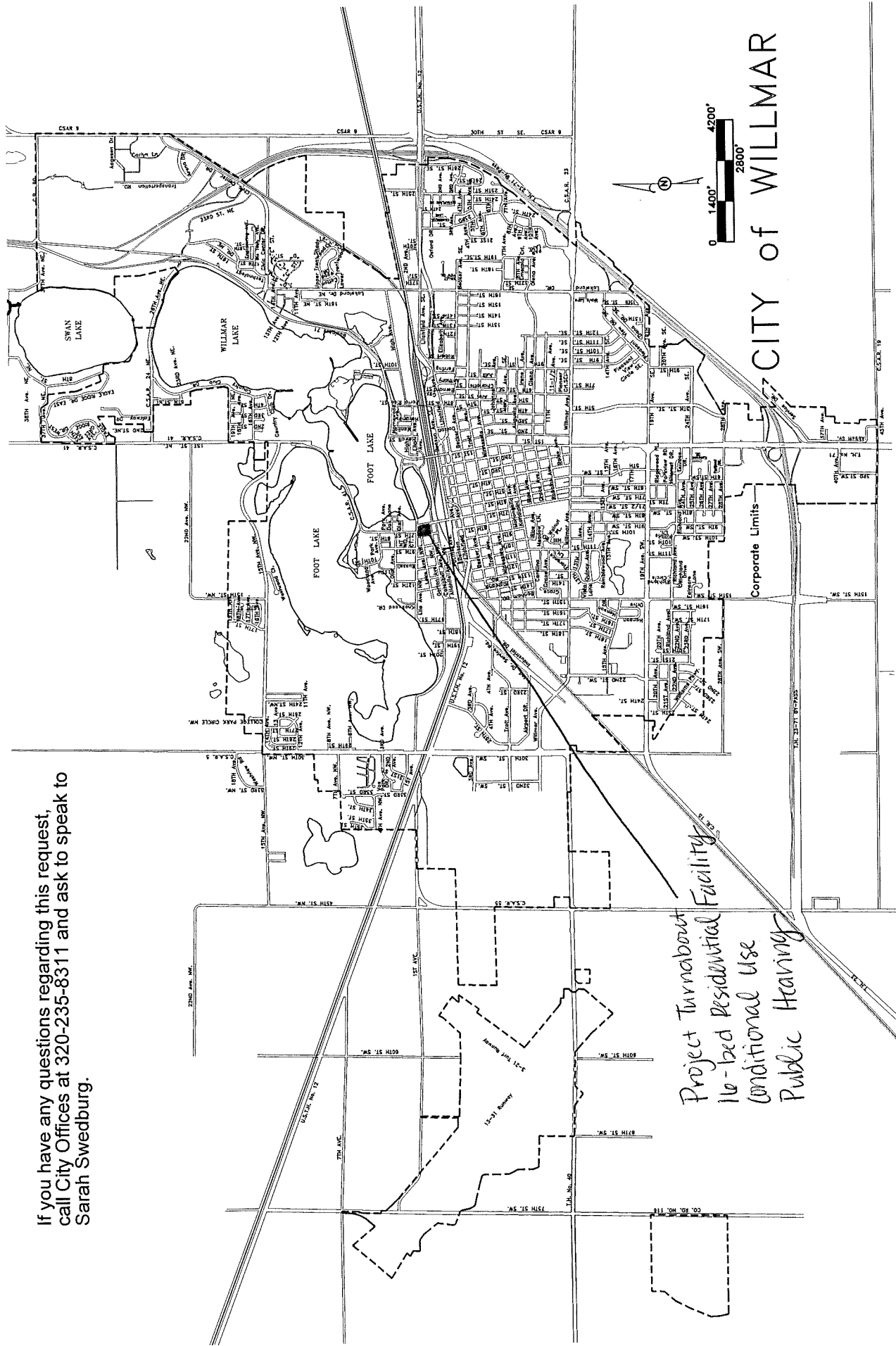
October 26, 2019  
Date

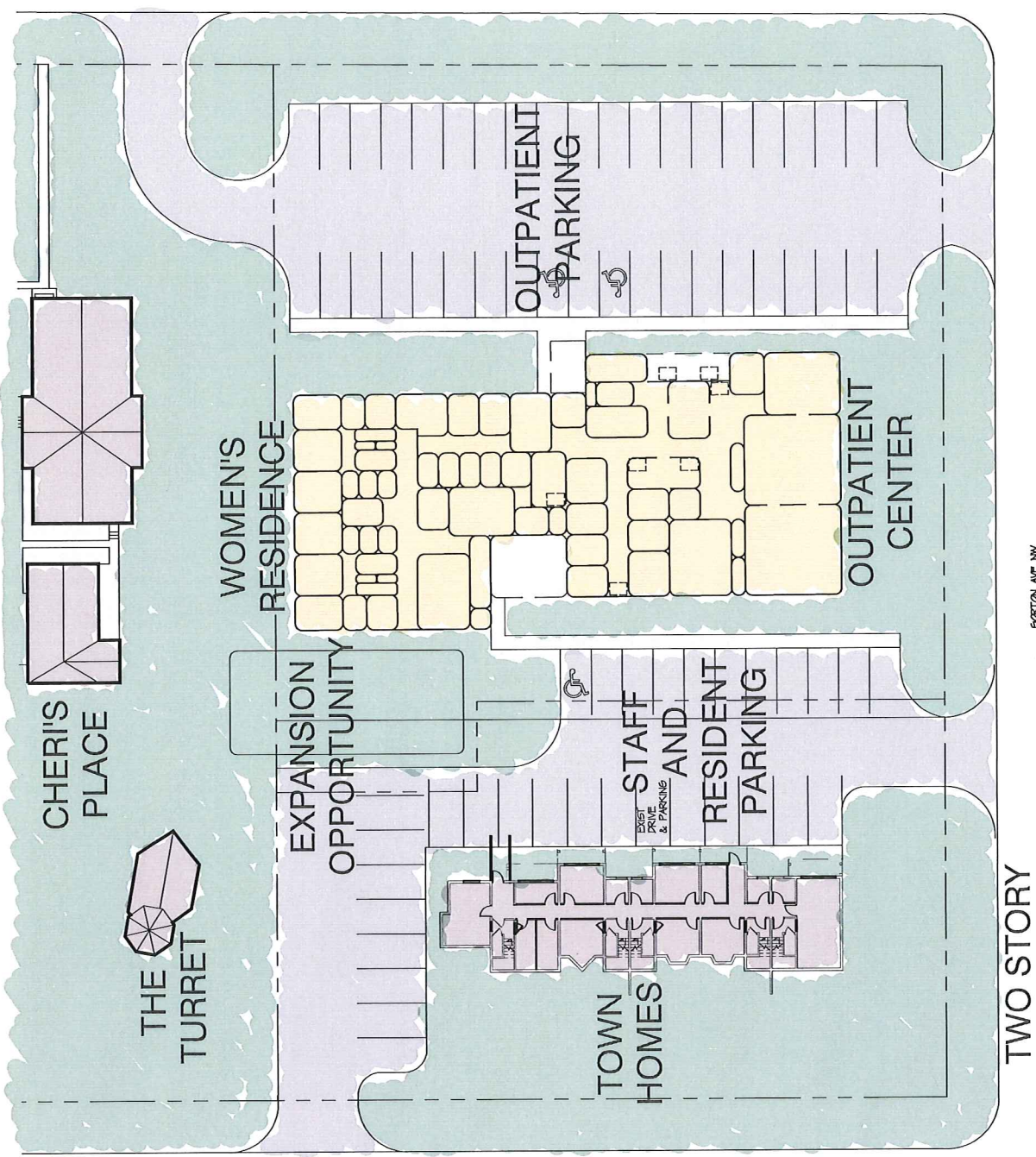
Sarah J. Swedburg  
Planner

Si Usted no lee inglés o si este aviso no contiene una explicación suficiente, por favor comuníquese con Abby al 235-0850 ext. 1100, de Heartland Community Action Agency.

Haddii Aadan Akhriyi Karin Ama Aadan Fahmeeynin Ogeeysiiskan, Fadlan Soo Wac: Sahra Gure, West Central Interpreting Services, LLC (320)235-0165 ama (320)441-8555.

If you have any questions regarding this request,  
call City Offices at 320-235-8311 and ask to speak to  
Sarah Swedburg.



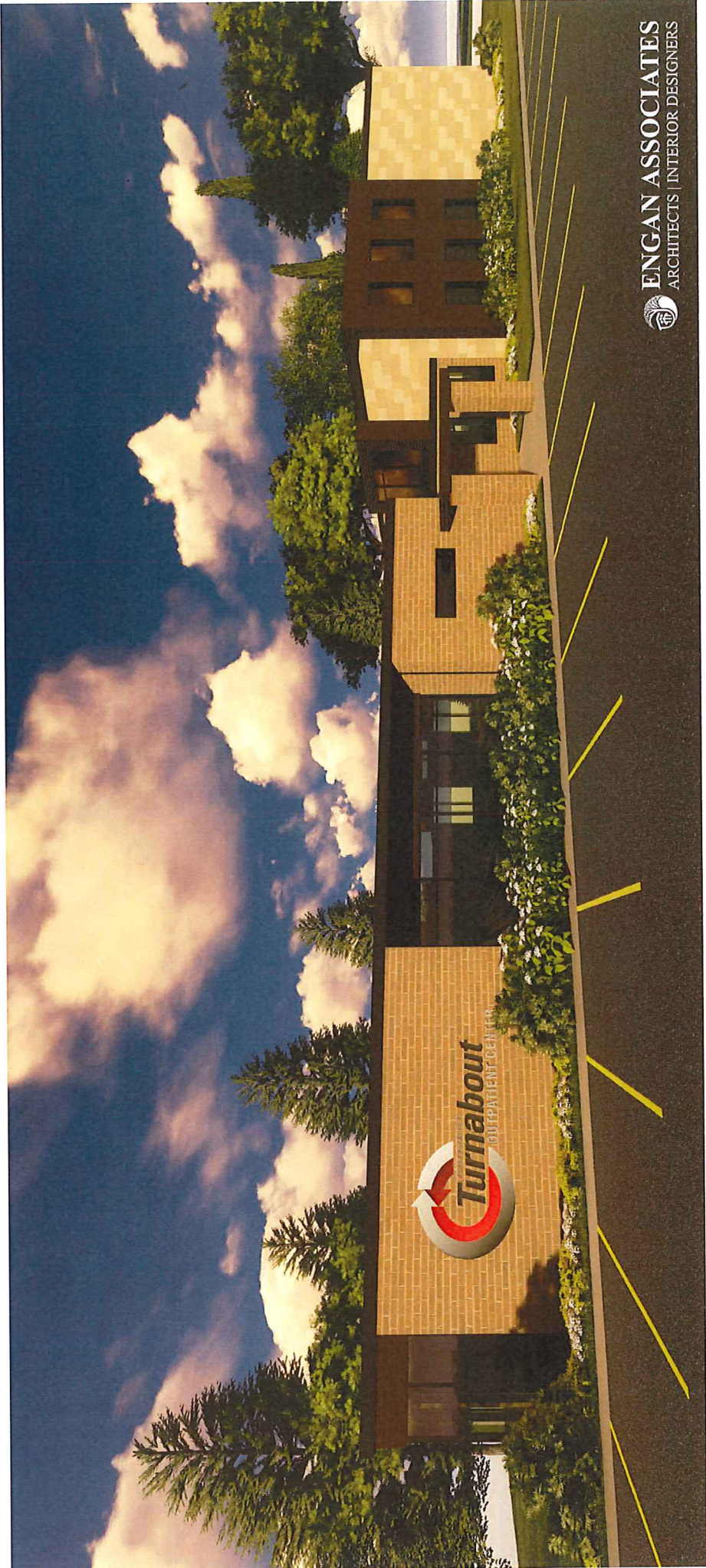


\*Yellow- new development  
 \* Town Homes/Cheri's place existing

APPROACH B SITE PLAN		PROJECT TURNABOUT WOMEN'S UNIT/OUTPATIENT CENTER WILLMAR, MN		DATE: 05/14/2008 REVISION: 01 OWNER: ARCHITECTS INTERIOR DESIGNERS CHECKED BY: BIM DRAWN BY: BIM PROJECT # 497.08	<b>ENGAN ASSOCIATES</b> ARCHITECTS INTERIOR DESIGNERS Shared vision. Innovative design. 311 4th Street SW, P.O. Box 956, Willmar, MN 56201 320-235-0860 FAX: 320-235-0861   www.engan.com
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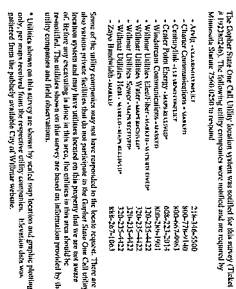


 **ENGAN ASSOCIATES**  
ARCHITECTS / INTERIOR DESIGNERS





*Section 15, T119N-R35W, Kandiyohi County, Minnesota*



This drawing prepared by:

Professional Land Surveyors

Requested by Engen Associates  
Irvine, NY

Requested by Engen Associates  
Irvine, NY

 Air Conditioning

  Carroll County

 [Facebook](#)

**Don Meyer**

Light Polo

54

 Telephone: 01223 333911

WATER-SOLUBLE OIL

— **Underground Corridor**

---  $\square$  ---  $\square$  --- Underground Drains

Water Line

### Abstract

All Documents referred to on other

agreements require clients and, in many cases, the subject of this journal. We suggest

Other workers sampled from particular jobs  
this survey.

property lines are shown for reference and are NOT intended for delineating lots.

# THE 2014 POLITICAL ECONOMY OF THE MIDDLE EAST

MY DIRECT SUPERVISION AND  
LICENSED LAND SURVEYOR

Date September 12, 2019

**Member the French Association**

Preliminary Plat of:

# TURNABOUT ADDITION

Located In:  
Block One of the ORIGINAL TOWN OF WILLMAR, and Blocks 2, 3, & 4 of VICTORIAN ESTATES TOWNHOUSES  
Section 15, Township 119 North, Range 35 West, Kandiyohi County, Minnesota



This drawing prepared by:  
**Bonnema Runke Stern Inc.**  
Surveyors and Land Surveyors  
440 West 7th St. Suite 101  
Owatonna, MN 56001  
Phone (507) 831-1234  
Fax (507) 831-1235

Requested by: Representative for Lake & Country Air Project INC.  
City of Willmar  
Contract # 10-11-1000



## LEGEND

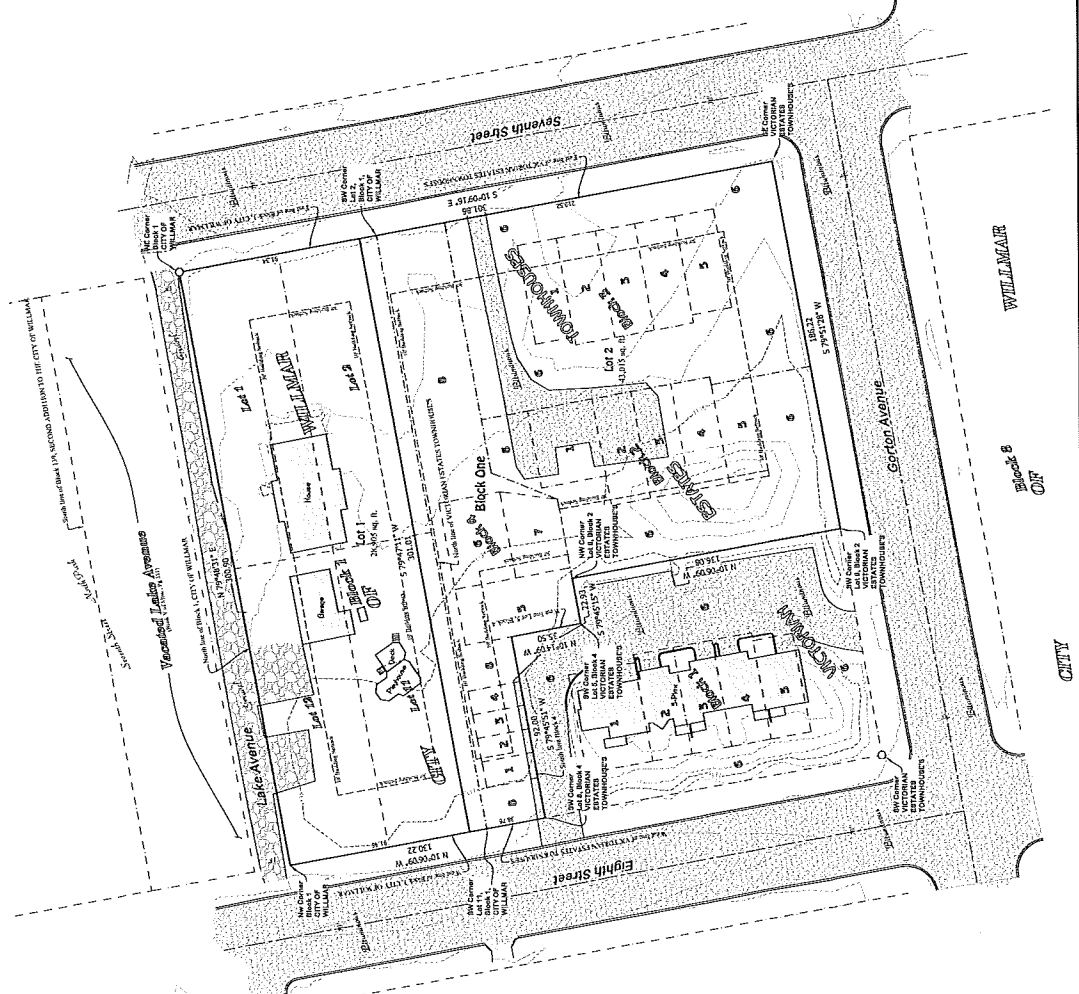
- Found Iron Monument from Former Survey
- Boundary Line Surveyed in 1911 by City of Willmar

The Orientation of this platting system is assumed. TOWNHOUSES is assumed to bear S 10° 51' 30" W.

Date of Map: 09-26-2019  
Total Area Platted: 1.7 Acres 77,920 sq. ft.

Current Zoning - R-4 Medium Density Multiple Family

CONTOUR INFORMATION  
The contour information used in this platting was derived from a topographic survey performed on September 10, 2019, utilizing the NAVD83 vertical datum.





3/2 of the SE 1/4 of Section 1  
and  
N 1/2 of the NE 1/4 of Section 12

FILE COPY



Located in:  
**T119N-R35W, Willmar Township, Kandiyohi County,  
City of Willmar, Minnesota**

This drawing prepared by:  
**Bonnema Surveys Inc.**  
Professional Land Surveying  
1629 Elm Street, Suite 104  
Willmar, MN 56201  
Office (507) 312-2244  
Fax (507) 312-2247

Requested by: Earthtech Energy  
3145 Elm Creek Highway, Suite 100  
Shoreview, MN 55126



**LEGEND**

- Found Iron Monument from former survey
- Bonnema Survey Point
- ⊙ Cast Iron Monument
- Field Trips Line

The Bearing Orientation System for this survey is based on the 1995 Minnesota Department of Transportation projection and transformation parameters for this County.

The Datum of this Survey is the North American Vertical Datum of 1988 (NAVD 88) which is 0.65 feet above the 1929 MGD elevation.

Bonnema Surveys is not giving a title opinion or abstract of title. We suggest that you contact your attorney or a title insurance company for that purpose. Boundaries or neighboring land sections may exist which affect this parcel and are not shown on this survey.

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Diana A. Bonnema  
Date: April 27, 2007 License No. 14155

SE Corner  
Section  
T119N-R35

Also  
NE Corner  
Section 1  
T119N-R35

N 1/4 Corner  
Section 12  
T119N-R35W  
Also:  
NW Corner of the  
N 1/2 of the NE 1/4

SW Corner of the  
N 1/2 of the NE 1/4  
Section 12  
T119N-R35W

**LAND DESCRIPTION - 57.95 Acre Parcel**

That part of the South Half of the Southeast Quarter of Section 1, and also that part of the North Half of the Northeast Quarter of Section 12, all in Township 119 North, Range 35 West of the Fifth Principal Meridian, Willmar Township, Kandiyohi County, Minnesota, described as follows:

- Commencing at the northwest corner of the Northeast Quarter of said Section 12;
- thence on a geodetic bearing of South 89 degrees 33 minutes 14 seconds East, along the north line of the Northeast Quarter of said Section 12, a distance of 546.31 feet to the southeasterly right of way boundary line of the railroad which is also the point of beginning of the land to be described;
- thence on a bearing of North 72 degrees 44 minutes 46 seconds East, along the southeasterly right of way boundary line of the railroad, a distance of 867.66 feet to the southeasterly right of way boundary line of the state highway;
- thence on a bearing of South 40 degrees 23 minutes 22 seconds East, along the southeasterly right of way boundary line of the state highway, a distance of 527.24 feet;
- thence southeasterly, along the westerly right of way boundary line of the state highway, on a curve, concave to the southwest, which has a radius of 4483.66 feet, a central angle of 22 degrees 49 minutes 15 seconds and a chord bearing of South 20 degrees 10 minutes 02 seconds East, a distance of 1785.83 feet to the south line of the North Half of the Northeast Quarter of said Section 12;
- thence on a bearing of North 89 degrees 31 minutes 59 minutes West, along the south line of the North Half of the Northeast Quarter of said Section 12, a distance of 1909.43 feet to the west line of the Northeast Quarter of said Section 12;
- thence on a bearing of North 00 degrees 10 minutes 43 minutes East, along the west line of the Northeast Quarter of said Section 12, a distance of 453.04 feet to the southeasterly right of way boundary line of the railroad;
- thence on a bearing of North 32 degrees 44 minutes 46 seconds East, along the southeasterly right of way boundary line of railroad, a distance of 1014.48 feet to the point of beginning.

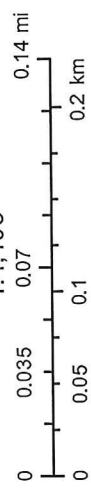
**LAND DESCRIPTION - 11.10 Acre Parcel**

That part of the Northwest Quarter of the Northeast Quarter of Section 12, Township 119 North, Range 35 West of the Fifth Principal Meridian, Willmar Township, Kandiyohi County, Minnesota, described as follows:

- Commencing at the northwest corner of the Northeast Quarter of said Section 12;
- thence on a geodetic bearing of South 89 degrees 33 minutes 14 seconds East, along the north line of the Northeast Quarter of said Section 12, a distance of 546.31 feet to the southeasterly right of way boundary line of the railroad which is also the point of beginning of the land to be described;
- thence continuing on a bearing of South 89 degrees 33 minutes 14 seconds East, along the north line of the Northeast Quarter of said Section 12, a distance of 119.41 feet;
- thence on a bearing of South 40 degrees 23 minutes 22 seconds East a distance of 132.83 feet;
- thence southeasterly, 588.81 feet along on a curve, concave to the southwest, which has a radius of 3743.66 feet, a central angle of 9 degrees 00 minutes 42 seconds and a chord bearing of South 26 degrees 14 minutes 18 seconds East;
- thence on a bearing of South 54 degrees 06 minutes 19 seconds West a distance of 563.21 feet;
- thence on a bearing of North 57 degrees 15 minutes 14 minutes West, a distance of 527.04 feet to the southeasterly right of way boundary line of the railroad;
- thence on a bearing of North 32 degrees 44 minutes 46 seconds East, along the southeasterly right of way boundary line of railroad, a distance of 802.34 feet to the point of beginning.



1:4,103





**RESOLUTION NO. \_\_**

**A RESOLUTION APPROVING THE ACQUISITION OF REAL PROPERTY IN WILLMAR, MINNESOTA, AND  
DISPENSING WITH REVIEW OF THE PURCHASE BY THE WILLMAR PLANNING COMMISSION**

Motion By: \_\_\_\_\_ Second By: \_\_\_\_\_

WHEREAS, certain real property located in the City of Willmar, Kandiyohi County, Minnesota, PID No. 95-913-1115, legally described on Exhibit A, which is attached hereto and incorporated herein by reference, referred to herein as the "Property", has been forfeited to the State of Minnesota through tax forfeiture; and

WHEREAS, Kandiyohi County has determined the market value of the Property is \$200; and

WHEREAS, the City of Willmar is authorized to purchase tax forfeited property pursuant to Minnesota Statutes, Section 282.01, subdivision 1a; and

WHEREAS, at the October 21, 2019 City Council meeting, the City Council of the City of Willmar voted to purchase the Property for \$200, to use for stormwater management purposes; and

WHEREAS, Minnesota Statutes, Section 462.356, subdivision 2 states that no publicly owned interest in real property within a city shall be acquired or disposed of until after the planning commission has reviewed the proposed acquisition or disposal and reported in writing to the City Council its findings as to compliance of the proposed acquisition or disposal with the comprehensive plan; and

WHEREAS, Section 4.02, subdivision 8 of the City Charter further requires approval by the City Planning Commission prior to any acquisition of public lands, buildings or property by the City.

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the City Council hereby finds that, subject to review and approval by the Willmar Planning Commission, the City Council hereby approves the purchase of the Property from Kandiyohi County for \$200.

Dated this 4th day of November, 2019

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**Exhibit A**

**Legal Description**

That part of the West 1/2 of Southeast 1/4 & that part of the East 1/2 of Southwest 1/3 described as follows:  
Commencing at the Southeast corner of Outlot A of Pheasant Run 2nd Add., then southeasterly 291.88', then  
northwesterly 266.88', then northeasterly 212.96' to the point of beginning.

**PLANNING COMMISSION – NOVEMBER 6, 2019**

***STAFF COMMENTS***

**1. PROJECT TURNABOUT CUP – FILE NO 19-03:**

- The applicant is Reverence for Life & Concern for People, Inc. (Project Turnabout) of Granite Falls, MN.
- The applicant is requesting a conditional use permit for a Residential Facility that would consist of a 16-bed residential facility for women, in conjunction with outpatient programming for substance abuse on property described as: Blocks 2, 3, and 4 of Victorian Estates Townhouses, Section 15, Township 119 North, Range 35 West (317 7<sup>th</sup> St NW).
- The property is zoned R-4 (Medium Density Multi-Family Residential).
- The northern portion of this property was annexed into the City by an Orderly Annexation Joint Agreement between the City of Willmar and Willmar Township at the end of 2018, and it has been approved by the State of Minnesota.
- The applicant has also submitted an request for a Minor Subdivision.
- Project Turnabout owns the entire block between 7<sup>th</sup> & 8<sup>th</sup> St NW & Gorton Ave NW. This development will be on a lot about 1 acre in size.
- All minimum density and lot sizes are met.
- Setbacks?
- The development will be accessed off of 7<sup>th</sup> St NW & Gorton Ave NW.
- 39 parking spaces provided. Are residents anticipated to have vehicles?
- City water and sewer mains are available to the property. The City will charge a tapping fee for new connections.
- The development will be built with high quality materials. The style will fit in with the area's residential neighborhoods, serving as a transition between the High-rise Apartments and townhomes & single families homes further West.
- The development includes some green space on the property. The property also borders a current City Park to the North.

RECOMMENDATION: Approve the conditional use permit with the following conditions:

- A. The Turnabout Addition Minor Subdivision shall be approved by Planning Commission and City Council.
- B. The Stormwater Ordinance shall be complied with and plans shall be approved by the Engineering Department.
- C. All building and parking lot setbacks shall be met or a Variance obtained.
- D. The use shall comply with all applicable local, state, and federal rules, laws, and regulations at all times.

**2. PROJECT TURNABOUT MINOR SUBDIVISION – FILE NO 19-04:**

- The applicant is Reverence for Life & Concern for People, Inc. (Project Turnabout) of Granite Falls, MN.
- The applicant is requesting a subdivision for a Residential Facility that would consist of a 16-bed residential facility for women, in conjunction with outpatient programming for substance abuse on property described as: Blocks 2, 3, and 4 of Victorian Estates Townhouses, Section 15, Township 119 North, Range 35 West (317 7<sup>th</sup> St NW).
- The subdivision meets the qualifications of a Minor Subdivision.

- Lot 1 can be accessed via 7<sup>th</sup> & 8<sup>th</sup> St NW; Lot 2 will be accessed via 7<sup>th</sup> St NW & Gorton Ave NW.
- The parcels are zoned R-4.
- All exterior property line setbacks abutting neighbor properties shall not alter from Zoning Ordinance Standards (North & South: 20' side yard setbacks; East: 30' front (right-of-way) setback; West: 40' rear yard setback). Submitted drawings well exceed these exterior property line setbacks.
- A Conditional Use Permit for a Planned Unit Development has been submitted by the same applicant and the previous item was a review of the application.
- All lots meet the minimum lot size requirements.
- No park dedication fees were paid on previous plats. Current Park Dedication fees are estimated at approximately 5,034 square feet or \$6,091.

**Department Comments will be available during the Planning Commission meeting.**

RECOMMENDATION: Approve the preliminary plat with the following conditions:

- A. Declarations/covenants for access points that cross lot lines shall be submitted to Staff and recorded concurrently with plat for ease of tractability.
- B. A 10' utility easement shall be added as requested by Willmar Municipal Utilities.
- C. Park Dedication or Cash in Lieu shall be paid or dedicated prior to issuance of Building Permits.
- D. All Fire Chief/Marshall, Engineering/Public Works, and MUC comments shall be met, adhered to, and additional information supplied as requested.

3. ZEIMER DETACHMENT – FILE NO 19-01:

- The petitions are Mark & Lori Zeimer, 100% owners of the property.
- The petitioner is requesting detachment for full property owner usage of the area (hunting) on property described as: That part of the North ½ of the Northeast ¼ lying East of Rail Road Right-of-Way and West of US Trunk Highway 71 and State Trunk Highway 23. AND That Part of the East ½ of Section 1 lying East of the Right-of-Way of Great Northern Rail Road (also known as Burlington Northern Santa Fe Rail Road & DNR Trail) and West of the State Highway.
- The land has historically been used for cropland and remains in agricultural use. There are no improvements or planned improvements on this property.
- The land was originally annexed in 2007 for a pelletizing plant that never came to fruition.
- The land abuts the City's East boundary.
- Representatives of this petition have stated constraints that these parcels face due to limited access created by the BNSF Rail Spur, active BNSF Rail Line to the South, and difficulty being served by municipal utilities.

**Fire Chief/Marshall Comments:** I have no feelings or concerns either way at this point.

**Police Chief Comments:** No issues either way with WPD.

**Willmar Municipal Utilities Comments:** We have reviewed the detachment request and submit the following comments:

- The property is in WMU's Electric Service Territory and will remain in the WMU's Service Territory if detached.
- If said property is developed and water and wastewater services are requested, WMU would recommend annexation prior to providing services
- WMU would concur with the City Council and City Attorney Scott's approach to general opposition of the requested detachment.

**Engineering & School District Comments will be available during the Planning Commission meeting.**

RECOMMENDATION: Review the petition for detachment & determine whether to recommend approval or denial of the attachment to City Council.

**4. CITY ACQUISITION OF PROPERTY:**

- The City received notification that certain properties were becoming available for purchase due to Tax Forfeiture. Upon investigation, the City Engineering department is recommending the City purchase property described as: That part of the West ½ of Southeast ¼ and that part of the East ½ of Southwest 1/3 described as follows: Commencing at the Southeast corner of Outlot A of Pheasant Run 2<sup>nd</sup> Addition, then Southeasterly 291.88 feet, then Northwesterly 266.88 feet, then Northeasterly 212.96 feet to the point of beginning.
- City Engineering Department is recommending the purchase of this property for stormwater management purposes.
- Kandiyohi County determined the market value of the Property at \$200.

RECOMMENDATION: Review the land sale & determine whether the purchasing of property is in compliance with the Comprehensive Plan.